



Controlled Group Liability. Plaintiffs' Motion is **GRANTED IN PART** insofar as the Waggoner Entities<sup>1</sup> are businesses under common control and jointly and severally liable for the withdrawal liability of Defendant The York Concrete Company, LLC. Plaintiffs' Motion is **DENIED IN PART** insofar the withdrawal liability does not attach to the Waggoner Entities unless Plaintiffs prevail as to Count I.

BY THE COURT:

/s/ John M. Gallagher  
JOHN M. GALLAGHER  
United States District Court Judge

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<sup>1</sup> The term "The Waggoner Controlled Group," as defined in Plaintiffs' Amended Complaint (ECF No. 23) consists of the following defendants: Waggoner Holdings, LLC; Waggoner Holdings, LP; Waggoner Construction, Inc.; Girard Avenue Holdings, LLC; Waggoner Fabrication & Millwright, LLC; Waggoner Roofing, LLC; Best Mechanical Services, LLC; Crane Werks, LLC, and The York Concrete Company, LLC.